

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MINNIE TAYLOR, Individually and  
as Personal Representative of  
the ESTATE OF LOUIE TAYLOR,  
and HAROLD CUTHAIR,

**Plaintiffs,**

vs. Case No.  
21-cv-00613-GJF-JFR  
THE UNITED STATES OF AMERICA,

**Defendant.**

# DEPOSITION OF CAMERON K. LINDSAY

March 23, 2022

8:30 a.m.

via videoteleconference

PURSUANT TO THE FEDERAL RULES OF CIVIL PROCEDURE, this deposition was:

TAKEN BY: MS. CHRISTINE H. LYMAN  
Attorney for the Defendant

REPORTED BY: MABEL JIN CHIN, NM CCR #81  
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<p style="text-align: right;">130</p> <p>1       <b>that the jail had to follow, but from my perspective</b>      2       <b>they did not. So, again, this is not immunization</b>      3       <b>just because you have this. You have to follow it,</b>      4       <b>and that's --</b></p> <p>5       MS. LYMAN: Sorry to interrupt, but did we      6       lose Forrest again?</p> <p>7       THE WITNESS: I beg your pardon?</p> <p>8       MS. LYMAN: Forrest just dropped off my      9       screen.</p> <p>10      THE WITNESS: Oh, shoot.      11      (A recess was taken from 11:42 a.m.      12       through 12:04 a.m.)</p> <p>13      Q. (By Ms. Lyman) Mr. Lindsay, I think before      14     we had the break we were starting to get into some of      15     these standards that you opined have been breached in      16     this case. I wanted to start with the BIA Corrections      17     Handbook, which I believe you were citing here in      18     paragraph -- starting on paragraph 83 of your report?</p> <p>19      A. <b>83. Okay.</b></p> <p>20      Q. You would agree that the BIA Corrections      21     Handbook is one of the standards that apply to the      22     Shiprock jail; correct?</p> <p>23      A. <b>Correct.</b></p> <p>24      Q. I wanted to turn to paragraph 86. You      25     referenced Section C 2-20-02 of the Corrections</p>	<p style="text-align: right;">132</p> <p>1       inmate has been deemed extremely intoxicated; is that      2       correct?</p> <p>3       A. Well, that's what it says here for C2-20-02,      4       yes.</p> <p>5       Q. Okay. In your experience, how -- are there      6       set criteria or is there some way to delineate between      7       when somebody is moderately intoxicated or mildly      8       intoxicated or extremely intoxicated?</p> <p>9       A. Not really, other than someone just trying      10      to make an individual judgment, so that's why it's      11      important to just have a rule, a fail-safe that if      12      someone is under the influence or if they're having a      13      psychotic break or if they appear to be under the      14      influence of drugs, they must have a medical      15      clearance.</p> <p>16      Q. So, are you saying that -- is it your      17      opinion that this rule is -- I guess --</p> <p>18      Do you have a problem with Rule C2-20-02?</p> <p>19      A. Do I have a problem with it? Not so much      20      because -- I mean, I guess you're asking me, does --      21      should it be more specific, should it say something      22      more than just extremely intoxicated. Well, I might      23      have an issue with that but, you know, the same issue      24      is covered in paragraph 90 in the law enforcement      25      handbook, that last sentence.</p>
<p style="text-align: right;">131</p> <p>1       Handbook. And it states, and I believe that you're      2       quoting from this section, "If an inmate meets any of      3       the issues noted in 6 of the Arrestee Medical Clearance      4       Form, they will not be booked into the facility until      5       they have been medically screened and cleared by a      6       medical healthcare provider." Do you recall what      7       those issues were on that form?</p> <p>8       A. <b>Um -- not specifically.</b></p> <p>9       Q. Paragraph 87, from the same -- quoting from      10      the same section, states "The admission/booking      11      officer will not admit/book any arrestee into the      12      facility who has been deemed extremely intoxicated      13      without medical clearance."</p> <p>14      And then it also states, quote, "detention      15      staff should use sound judgment for any" -- I'm sorry,      16      I should share my screen. Let me back up. It also      17      states "detention staff should use sound judgment for      18      any other issues that may preclude an arrestee from      19      being booked." And let me go ahead and share my      20      screen there.</p> <p>21      Did I read that correctly.</p> <p>22      A. <b>Yes.</b></p> <p>23      Q. Okay. Now, I wanted to ask you about this      24      paragraph 87. My reading of this section is that the      25      medical clearance requirement is only triggered if an</p>	<p style="text-align: right;">133</p> <p>1       Q. Okay. Can you read to me that last sentence      2       and tell me how you think that that covers what we're      3       talking about?</p> <p>4       A. <b>Well, "sick, injured, or extremely</b>      5       <b>intoxicated prisoners shall be provided medical</b>      6       <b>treatment."</b> From my perspective, Mr. Taylor was      7       extremely intoxicated. It doesn't say specifically      8       alcohol here. So from my perspective, it's covered.      9       I mean, his behavior would be covered under that.</p> <p>10      Q. But you said that you would have to make an      11      individual judgment to determine whether somebody is      12      extremely intoxicated; correct?</p> <p>13      A. <b>No, just if they are intoxicated. If the</b>      14      <b>person believes that -- if the staff member believes</b>      15      <b>that they are under the influence, you have to have</b>      16      <b>that medical clearance. They should not be accepted</b>      17      <b>without it.</b></p> <p>18      Q. So are you saying that they should have      19      followed a different rule in this case? Because the      20      rule says extremely intoxicated.</p> <p>21      A. <b>From my perspective he was extremely</b>      22      <b>intoxicated. It killed him, so he might have been</b>      23      <b>extremely intoxicated.</b></p> <p>24      Q. Well, the rule here in paragraph 87 speaks      25      to an arrestee who has been deemed extremely</p>